

IN THE UNITED STATES DISTRICT COURT  
FOR THE NORTHERN DISTRICT OF TEXAS  
DALLAS DIVISION

UNITED STATES OF AMERICA

v.

CASEY ROSE (26)

CRIMINAL NO. 3:14-CR-367-B

GOVERNMENT'S REQUESTED VOIR DIRE

The United States of America respectfully requests, pursuant to Fed. R. Crim. P. 24(a)(2)(B), that the following questions be asked of the jury panel in addition to the customary questions:

1. The indictment in this case charges the defendant with criminal violations of federal law, namely: conspiracy to possess with the intent to distribute a controlled substance, namely a quantity of a mixture or substance containing a detectable amount of methamphetamine (in Count I), in violation of 21 U.S.C. §§ 846; possession with the intent to distribute a controlled substance, namely a quantity of a mixture or substance containing a detectable amount of methamphetamine (in Count II), in violation of 841(a)(1) and (b)(1)(C); and possession of a firearm by a felon (in Count III), in violation of 18 U.S.C. §§ 922(g)(1) and 924(a)(2). The charges against the defendant are contained in the indictment.

2. Is there any member of the panel which believes that this conduct should not be illegal or unlawful?

3. Is there any member of the panel who believes that the federal government should not be investigating and prosecuting drug crimes?

4. Is there any member of the panel who believes drugs should be de-criminalized?

5. Is there any member of the panel who owns firearms?

6. Is there any member of the panel, who for personal reasons or otherwise, could not be a fair juror in a case which involves firearms?

7. A “conspiracy” is an agreement between two or more persons to join together to accomplish some unlawful purpose. It is a kind of “partnership in crime” in which each member becomes the agent of every other member. One may become a member of a conspiracy without knowing all the details of the unlawful scheme or the identities of all the other alleged conspirators. Does the fact that a person can be considered part of a conspiracy without knowing all the details or all the people involved in the conspiracy concern any of you?

8. If a defendant understands the unlawful nature of a plan or scheme and knowingly and intentionally joins in that plan or scheme on one occasion, that is sufficient to convict him for conspiracy even though the defendant had not participated before and even though the defendant played only a minor part. Are any of you uncomfortable with the law which states that a person who plays a minor role or comes into a conspiracy for part of it may still be guilty of the conspiracy?

9. The government need not prove that the alleged conspirators entered into any formal agreement, nor that they directly stated between themselves all the details of the scheme. Is anyone uncomfortable that the government does not have to prove a formal agreement?

10. The government need not prove that all of the persons alleged to have been members of the conspiracy were such, or that the alleged conspirators actually succeeded in accomplishing their unlawful objectives. Do any of you have any concerns that the government is not required to prove each person who is a member of a conspiracy or whether they achieved the goal of the conspiracy?

11. Would any of you require the government to prove beyond a reasonable doubt:

- a. all the details of the conspiracy;
- b. all the people involved in the conspiracy; or
- c. that there was a formal agreement as part of the conspiracy in order to find a defendant guilty of conspiracy charges?

12. Have any of you, your relatives, or your close friends ever been a party to any legal action or proceeding involving the government, its officers, its agents or its employees? If so, would that experience affect your ability to be fair and objective toward both the government and the defendants in your consideration of the evidence in this case?

13. Just as the defendant is entitled to a fair trial, so is the government. Do any of you, because of something in your background or beliefs, something you heard on television or radio, or have read in the newspapers or on the internet, feel like you cannot give the government the same fair trial in this type of case that you will give the defendant?

14. Have any of you, your relatives, or your close friends ever been involved as a witness, complainant, or accused in a court proceeding of any kind? Is there anything about that situation that might affect your ability to be fair and objective toward both the government and the defendant in your consideration of the evidence in this case?

15. Have any of you, your relatives, or your close friends ever been accused, arrested, put on probation or parole, or convicted of a crime (other than a traffic ticket)? If so, what type of crime? Was that person sent to prison? Is there anything about that situation that would affect your ability to be fair and objective in evaluating this case?

16. Have any of you ever served on a trial jury in either federal or state court?

a. If so, was it a civil or criminal case?

b. If criminal, what were the charges against the defendant(s), and did the jury reach a verdict?

c. Is there anything about that experience that would make it difficult to be fair and objective toward both the government and the defendant in evaluating this case?

17. Does anyone have philosophical, moral, or religious beliefs that would make you feel uncomfortable about sitting in judgment of another human being, in other

words, judging the guilt or innocence of another person?

18. If you find, after considering the evidence and the law you must apply, that the defendant is guilty of one or more of the counts in the indictment, determining punishment will be my duty alone. The law does not permit you to consider punishment, sympathy, prejudice, or public opinion in reaching your verdict. Please raise your hand if you feel that concerns about punishment or feeling of sympathy for the defendant might influence you in deciding the guilt or innocence of the defendant.

19. Your duty, as jurors, is to decide guilt or innocence based upon the evidence and my instructions to you as to the law which you must apply in your deliberation. Your own views as to whether a particular law or rule of evidence is right or wrong cannot play any part in your deliberations and review of the evidence. Is there anyone who feels that they cannot accept my instructions on the law and apply those instructions in your consideration of evidence?

20. It is my duty, as judge, to determine punishment if you find, after considering the evidence and my instructions as to the law you must apply, that the defendant is guilty of one or more of the crimes alleged in the indictment. The law does not permit you to consider the issue of punishment because there are factors, having nothing to do with this trial, which will help me determine the appropriate sentence, if any. Is there anyone here who would vote “not guilty,” no matter what the evidence indicates, because of the possibility that the Court may impose a jail sentence or any

other particular sentence?

21. If you are chosen to sit on this jury, can you think of any reason why you might not be able to render a fair and impartial verdict based solely upon the evidence and the law as the Court will instruct you at the conclusion of the case?

22. Does anyone have any problems with his or her hearing or sight or any other medical problem which might impair his or her ability to devote their full attention to the trial or to fully observe what happens at the trial of this case?

23. The Government intends to call the following witnesses: [Read Government's Witness List]. Do any of you think you might know any of these potential witnesses?

24. The defendant intends to call the following witnesses: [Read Defendant's Witness List]. Do any of you think you might know any of these potential witnesses?

25. Does any member of the panel know the attorneys for the government, P.J. Meitl and John Kull? What about defense counsel, Scott Anderson?

26. There are many people on this jury panel. Do any of you recognize other members of the panel as being a close friend or associate?

27. Have any of the panel members served as a federal, state, or local peace officer?

28. Has any member of the panel received any kind of special training in law enforcement or law?

29. Do any of you have a member of your family who is employed by the federal government, a state government, or by any governmental entity?

30. Do any of you have close friends who are involved in law enforcement?

31. Would any member of the panel automatically reject the testimony of a police officer or federal agent?

32. Have any of you, your relatives, or your close friends had any type of interaction with the Texas Department of Public Safety or the Dallas Police Department that would lead you to rejecting their testimony

33. The government may bring a confidential informant to the witness stand. Is there anyone here who would reject the testimony of a confidential informant?

34. What if that confidential informant had a criminal history?

35. Is there anyone here who would oppose convicting a person of a crime if the evidence generated to convict him came from a confidential informant?

36. Have any of you, your relatives, or your close friends had any experience in dealing with problems, legal, medical, or otherwise, that related to the use or abuse of controlled substances?

Respectfully submitted,

JOHN R. PARKER  
Acting United States Attorney

/s/ P.J. Meitl

P.J. MEITL

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**CERTIFICATE OF SERVICE**

I hereby certify that on August 5, 2015, I electronically filed the foregoing document with the Clerk of Court for the United States District Court, Northern District of Texas, using the electronic case filing system of the Court. The electronic case filing system will send a "Notice of Electronic Filing" to the following attorneys of record who has consented in writing to accept this Notice as service of this document by electronic means:

/s/ P.J. Meitl

P.J. MEITL

Assistant United States Attorney